



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2015 MAR 13 AM 5:17

AGENDA REPORT

To: JOHN A. FLORES
INTERIM CITY ADMINISTRATOR

From: Kiran Bawa

SUBJECT: Establish a Department of Race and Equity

DATE: March 11, 2015

City Administrator

Date

Approval

3/12/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council:

Adopt an Ordinance amending Chapter 2.29 of the Oakland Municipal Code entitled, "City Agencies, Departments and Offices," which established the organizational structure of the City under the City Administrator's jurisdiction in accordance with the requirements of the City Charter Section 600, to create the Department of Race and Equity by December 2015, that will report directly to the City Administrator;

Receive an informational report establishing definitions and implementation steps related to a Citywide Strategy of a Fair and Just City and a timeline of steps necessary to implement the Department by December 2015; on the March 24, 2015 Life Enrichment Committee agenda and on the March 31, 2015 City Council Agenda as a non-consent item.

EXECUTIVE SUMMARY

This report requests approval of an Ordinance to create the Department of Race and Equity that would report directly to the City Administrator. Per direction from the Life Enrichment Committee held on February 24, 2015, this report also includes information on research of King County's Office of Equity and Social Justice, the City of Seattle's Race and Social Justice Initiative, as well as information obtained from conversations with the Director of the Local and Regional Government Alliance of Race and Equity. Funding for this initiative would be considered as part of the FY 2015-17 Budget development process assessing the City's overall goals and service needs, involving community outreach.

OUTCOME

Approval of this Ordinance will allow for the creation of the Department of Race and Equity to be enacted by December 2015. Further action would need to be taken by City Council to fund \$670,730

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for additional positions and Operations & Maintenance (O&M) as part of the budget development process for Fiscal Year 2015-17.

BACKGROUND/LEGISLATIVE HISTORY

At the January 29, 2015 Rules and Legislation Committee, Councilmember Desley Brooks introduced a proposal for the creation of a Department of Race and Equity in the City of Oakland. On February 24, 2015, staff provided to the Finance & Management and Life Enrichment Committees initial research exploring similar initiatives in other jurisdictions, the department's potential role, timeline and fiscal impact. The Finance & Management Committee accepted the staff report of February 24, 2015 and deferred to the Life Enrichment Committee to take further action. The Life Enrichment Committee directed staff to return with more detail on establishing the department at the March 24, 2015 meeting for further consideration and possible action.

At the March 5, 2015 Rules and Legislation Committee, Councilmember Brooks changed the title of the item as is written in the Recommendation section of this report to reflect the Life Enrichment Committee's request for additional information.

Currently, there are no existing funds available for allocation for this department. Funding would have to be considered as part of FY 2015-17 budget development in accordance with the City's overall goals and service needs. Additionally, extensive community input should be solicited as to the scope and function of the department.

ANALYSIS

This proposal requires establishing a City Ordinance, conducting a citywide study and developing an implementation strategy and timeline.

Ordinance

Councilmember Brooks provided a draft Ordinance for City Council's consideration for adoption to create the Department of Race and Equity (Attachment A). The following definitions are modified versions of terms from a similar Ordinance enacted by King County's Office of Equity and Social Justice. These definitions are provided as requested for reference to the proposed Ordinance.

Definitions:

"Community" means a group of people who share some or all the following: geographic boundaries, sense of membership, culture, language, common norms and interests.

"Determinants of equity" means the social, economic, geographic, political and physical environment conditions in which people in our city are born, grow, live, work and age that lead to the creation of a fair and just society. Access to determinants of equity is necessary to have equity for all people regardless of race, class, gender or language spoken. Inequities are created when barriers exist that prevent individuals and communities from accessing these conditions and reaching their full potential.

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“Equity” means all people have full and equal access to opportunities that enable them to attain their full potential.

“Equity and social justice foundational practices” means those practices that can increase the city’s influence on access to the determinants of equity when applied to the City’s actions in: siting and delivery of services; policy development and decision making; education and communication within city government; community engagement and partnerships. Equity and social justice foundational practices are goals for all governmental actions; across citywide strategic plan goals, objectives and strategies; and across agencies, programs and services.

“Fair and just” means the city serves all residents by promoting fairness and opportunity and eliminating inequities through actions to which equity and social justice foundational practices are applied.

“Inequity” means the differences in well-being that disadvantage one individual or group in favor of another. These differences are systematic, patterned and unfair and can be changed. Inequities are not random; they are caused by past and current decisions, systems of power and privilege, policies and the implementation of those policies.

“Social justice” means all aspects of justice, including legal, political and economic, and requires the fair distribution of public goods, institutional resources and life opportunities for all people.

“Individual racism” means pre-judgment, bias, stereotypes about an individual or group based on race.

“Institutional racism” means organizational programs, policies or procedures that work to the benefit of one race and to the detriment of people of other races, usually unintentionally or inadvertently.

Structure of the Department

An initial analysis by staff projects needing the following positions for the Department of Race and Equity – Director, Program Analyst II and Administrative Assistant II (Confidential). The three positions identified would meet the best fit the role of the department – to conduct a citywide study; develop a racial equity impact review tool; develop a community engagement design; and conduct citywide training on relevant matters. In addition, funding for O&M – both one-time and ongoing – will be required for the day-to-day operations of this department.

If the action to establish the Department of Race and Equity is adopted by City Council, then funding for positions will have to be considered as part of the Fiscal Year 2015-17 budget development process with an objective start of the department and the positions is December 2015.

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Responsibility of a Department of Race and Equity

Below are some examples of the type of work a Department of Race and Equity in Oakland could potentially address:

Citywide Study of a Fair and Just Society

Coordinate a study to identify key community problems and develop a strategy to address them. Engage inter-departmental leaders in the City and existing organizations working on equity. Create a set of goals and priorities based on established timelines and data.

Racial Equity Impact Review

Develop a Racial Equity Impact Review tool as both a process and a tool to identify, evaluate, and communicate the potential impact - both positive and negative - of a policy or program on racial equity. This tool is a systematic way for City departments to gather information to inform planning and decision-making about public policies, budgets and programs which impact racial equity in Oakland.

Community Engagement Plan

Utilize and collaborate with existing community engagement events like the collections of citywide Resilience City Data, future Mayor's and City Council's town meetings. Seek opportunities to work with existing community resources and together with other department agencies on equity to establish focused initiatives and work priorities.

Develop a Community Engagement Guide for departments to use during the initial planning stage and before work begins with the public. The Guide provides details, characteristics and strategies for different levels of community engagement, and the role of both the agency and community partners as part of the engagement process.

Employee Training

Create training for City employees on equity such as unintended implicit and explicit bias; such as the training-the-trainer that occurred in the City of Seattle in training city employees on race and social justice. Create a team of department representatives to coordinate information and efforts of the office in data collection addressing fairness in contracting, fairness in hiring and promotions, and using a Racial Equity Impact Review.

Publish Annual Report to Present to City Council

Present annually data and information on race and equity to the Life Enrichment Committee and City Council. The data can include demographic information collected across departments, employment practices such as hiring, training, retention, and promotion and business practices such as contracting, procurement and grant writing.

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Potential Timetable

March 2015 - City of Oakland to join Local and Regional Government Alliance on Race and Equity

March 31, 2015 – City Council meeting

May 1 to June 10, 2015 – Community Budget Forums

June 30, 2015 – Budget adoption

July 1, 2015 – Begin director position description and recruitment

December 2015 – Implement the Department of Race and Equity, conduct Citywide Study, begin hiring for the additional positions

PUBLIC OUTREACH/INTEREST

On December 9, 2014, the Oakland City Council unanimously passed a resolution recognizing the City’s collective responsibility to advance racial equity.

COORDINATION

The research provided in this staff report was coordinated with Councilmember Desley Brooks, City of Portland Office of Equity and Human Rights, City and County of San Francisco Human Rights Commission, Local and Regional Government Alliance on Race and Equity, Controller’s Budget Bureau and Human Resources Management.

COST SUMMARY/IMPLICATIONS

Estimated personnel and Operations & Maintenance costs for a Department of Race and Equity are as follows:

FTEs	Description	Total Cost
1.0	Director	\$190,725
1.0	Program Analyst II	116,478
1.0	Administrative Assistant II (Confidential)	89,527
	O&M (one-time)	\$150,000
	O&M (ongoing)	\$124,000
Total Estimated Costs		\$520,730

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Fully burdened costs include fringe & benefits at 68.65% of salary
One-time O&M includes consulting for citywide study and other one-time setup costs
O&M includes payments for Internal Service Funds along with supplies and other miscellaneous costs

SOURCE OF FUNDING: Funding for the Department of Race and Equity is eligible for unrestricted funds from the General Purpose Fund. Potential grant funding could also be available to fund this Department.

FISCAL IMPACT: There is currently no budget for the creation of the positions and resources to staff the department and would be considered as part of the FY 2015-17 budget development process.

FISCAL/POLICY ALIGNMENT

The creation of the Department of Race and Equity aligns with the City Council priorities of creating a Livable City that respects and provides a safe space for our most vulnerable populations. The Department of Race and Equity also supports the City Council priorities of being a City that honors and respects its employees. The Council priority on respecting its employees comes from fair opportunities to employment, expanded contracts opportunities and regular employee training on equity for all departments.

SUSTAINABLE OPPORTUNITIES

Economic: The Department of Race and Equity can examine the hiring of staff to positions in the City of Oakland ensuring a diversity of recruitment and hiring is achieved and institutional barriers limiting opportunities to historically discriminated groups are eliminated.

Environmental: The Department of Race and Equity can relate broadly to the environment on matters of environmental justice and discrimination such as analyzing the impact on particular communities when decisions are made regarding changes to the environment in Oakland neighborhoods.

Social Equity: The Department of Race and Equity can be tasked with identifying historical patterns of discrimination and creating training that addresses those outcomes. The department can involve community members who provide input and suggestions on how the City can address disparities in services.

For questions regarding this report, please contact Patrick J. Caceres, Policy Analyst, at (510) 238-3325.

Respectfully submitted,



Kiran Bawa
Budget Director

Prepared by: Patrick J. Caceres
Policy Analyst

Attachment: A. Ordinance Amending Oakland Municipal Code

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March 24, 2015

INTRODUCED BY COUNCILMEMBER DESLEY BROOKS _____

City Attorney

OAKLAND CITY COUNCIL
ORDINANCE NO. _____ C.M.S.

TITLE Ordinance Amending Chapter 2.29 of the Oakland Municipal Code Entitled, "City Agencies, Departments and Offices", Which Established the Organizational Structure of the City Under the City Administrator's Jurisdiction in Accordance with the Requirements of the City Charter Section 600, to Create the Department of Race and Equity the Will Report Directly to the City Administrator

WHEREAS, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

WHEREAS, in 1999 the Council passed Ordinance No. 12186, C.M.S. which established in Chapter 2.29 of the Municipal Code the organization structure of the City; and

WHEREAS, the Fiscal Year 2015-2016 Policy Budget will provide for organizational restructuring to promote equity and operating efficiency; and

WHEREAS, Oakland is a diverse community. Communities of color and immigrant and refugee communities are growing. Today, approximately 1-in-2 students in Oakland's public schools are students of color; and

WHEREAS, recent decisions in Ferguson and New York involving the criminal justice system have revealed with a renewed and sharper focus the deep divide in our society with persistent systemic inequalities; and

WHEREAS, racial inequities exist across all indicators for success, across the county, including in Oakland. These inequities are deep and pervasive and exist not only within the criminal justice system, but also in education, health, jobs, housing, and many other areas; and

WHEREAS, many in the United States, even those who embrace egalitarian norms, harbor unconscious negative associations based on race; and

WHEREAS, because of the government's role in serving the public, government is uniquely positioned to address the pervasiveness of unconscious biases, first by recognizing and acknowledging bias, and secondly by working to reduce bias, both individually and within government; and

WHEREAS, efforts to address unconscious bias and proactively advance racial equity can repair and strengthen the relationship between law enforcement and communities of color, thereby strengthening the ability for police departments to serve and protect all communities; and

WHEREAS, data presented by the Urban League of Oakland's State of Black Oakland (2014), shows that racial and ethnic disparities are pervasive and worsening over time. In poverty, employment and education measures, Oakland's communities of color have outcomes between 15% and 20% worse than white communities; and

WHEREAS, on December 9, 2014 the Oakland City Council unanimously passed a resolution recognizing our collective responsibility to advance racial equity; and

WHEREAS, the City recognizes the need to eliminate disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, socio-economic status, source of income, geographic location of residence, familial status, disability, age, physical and mental illnesses, and other factors; and

WHEREAS, data indicates that racial and ethnic disparities are vast across all indicators, supporting the need for the City to implement system measures that lead with race and ethnicity to be an initial priority the City and the Department of Race and Equity; and

WHEREAS, race and equity, including civil rights, will be key priorities internally, and the City work externally, with partners in government, private businesses, non-government organizations, academia and each community member; and

WHEREAS, achieving equity requires the intentional examination of policies and practices that, even if they have the appearance of fairness, may marginalize individuals or groups and perpetuate disparities or injustices; and

WHEREAS, working toward equity requires an understanding of historical contexts and active investment in social structures over time so that all communities can experience their vision of success; and

WHEREAS, achieving equity and protecting human rights requires commitment, collaboration, and clear transparent communication with the cities, counties, and school districts of our region that serve as the primary structures for managing how resources are divided and how public services are provided; and

WHEREAS, advancing equity for and protecting the human rights of all Oaklanders will require coordination with other Race and Equity work not only in government but also in private business, nongovernment organizations, academia, community groups, and the media; and

WHEREAS, economic development, job creation, and the stable employment of people in our region are essential to achieving equity; and

WHEREAS, advancement of equity may require resources to be shifted and reallocated; and

WHEREAS, we, as elected officials, commit to working with appointed officials and our public servants, including police officers – for racial equity. We recognize where we have power and influence, and will work within government, in partnership with other sectors and with the community to achieve racial equity. Although racial inequalities are deep and pervasive, we do not believe they are a given. We believe that we have the power to achieve equity for all of our communities.

WHEREAS, we commit to remove the structural barriers that prevent our society from being just and inclusive – and towards one that cares about and provides justice for the lives of all people; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

Section 2. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by ~~strikethrough~~ type); there are no changes in the portions of the sections that are not cited or shown in underscoring or strikethrough type.

Section 3. Chapter 2.29 of the Municipal Code is hereby amended to read as follows:

Section 2.29.010 Purpose.

The rendition of efficient and effective services in the city is best accomplished through the establishment of agencies, each of which shall function under the leadership of a single Director and shall consist of departments or divisions. Said Director and any department or division head shall serve as “department head” within the meaning of Article IX of the City Charter.

Section 2.29.160 Race and Equity Agency.

This is established in the city government a Race and Equity Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Race and Equity Agency shall be the responsibility of the Director of Race and Equity Agency who shall serve as Director of said agency, subject to the direction of the City Administrator. In the Race and Equity Agency there shall be the following divisions: Race and Equity, Civil Rights, Equity and Project Implementation.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

ORDINANCE No. _____

Title: Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race and Equity That Will Report Directly To The City Administrator

WHEREAS, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

WHEREAS, in 1999 the Council passed Ordinance No. 12186, C.M.S. which established in Chapter 2.29 of the municipal code the organizational structure of the City; and

WHEREAS, the FY 2015-16 Policy Budget will provide for organizational restructuring to promote equity and operating efficiency; and

WHEREAS, Oakland is a diverse community. Communities of color and immigrant and refugee communities are growing. Today, approximately 1-in-2 students in Oakland's public schools are students of color.

WHEREAS, Recent decisions in Ferguson and New York involving the criminal justice system have revealed with a renewed and sharper focus the deep divide in our society with persistent systemic inequalities; and

WHEREAS, racial inequities exist across all indicators for success, across the county, including in Oakland. These inequities are deep and pervasive and exist not only within the criminal justice system, but also in education, health, jobs, housing, and many other areas; and

WHEREAS, many in the United States, even those who embrace egalitarian norms, harbor unconscious negative associations based on race; and

WHEREAS, because of the government's role in serving the public, government is uniquely positioned to address the pervasiveness of unconscious biases, first by recognizing and acknowledging bias, and secondly by working to reduce bias, both individually and within government; and

WHEREAS, efforts to address unconscious bias and proactively advance racial equity can repair and strengthen the relationship between law enforcement and communities of color, thereby strengthening the ability for police departments to serve and protect all communities; and

WHEREAS, data presented by the Urban League of Oakland's State of Black Oakland (2014), shows that racial and ethnic disparities are pervasive

and worsening over time. In poverty, employment and education measures, Oakland' communities of color have outcomes between 15% and 20% worse than white communities; and

WHEREAS, On December 9th the Oakland City Council unanimously passed a resolution recognizing our collective responsibility to advance racial equity; and

WHEREAS, the City recognizes the need to eliminate disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, socio-economic status, source of income, geographic location of residence, familial status, disability, age, physical and mental illnesses, and other factors; and

WHEREAS, data indicates that racial and ethnic disparities are vast across all indicators, supporting the need for the City to implement systemic measures that lead with race and ethnicity to be an initial priority for the City and the Department of Race and Equity; and

WHEREAS, Race and Equity, including civil rights, will be key priorities internally, and in the City's work externally, with partners in government, private businesses, non-government organizations, academia and each community member; and

WHEREAS, achieving equity requires the intentional examination of policies and practices that, even if they have the appearance of fairness, may marginalize individuals or groups and perpetuate disparities or injustices; and

WHEREAS, working toward equity requires an understanding of historical contexts and active investment in social structures over time so that all communities can experience their vision of success; and

WHEREAS, Achieving equity and protecting human rights requires commitment, collaboration, and clear, transparent communication with the cities, counties, and school districts of our region that serve as the primary structures for managing how resources are divided and how public services are provided; and

WHEREAS, Advancing equity for and protecting the human rights of all Oaklanders will require coordination with other Race and Equity work not only in government but also in private business, nongovernment organizations, academia, community groups, and the media; and

WHEREAS, economic development, job creation, and the stable employment of people in our region are essential to achieving equity; and

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WHEREAS, we, as elected officials, commit to working with appointed officials and our public servants, including police officers – for racial equity. We recognize where we have power and influence, and will work

within government, in partnership with other sectors and with the community to achieve racial equity. Although racial inequities are deep and pervasive, we do not believe they are a given. We believe that we have the power to achieve equity for all of our communities.

WHEREAS, we commit to remove the structural barriers that prevent our society from being just and inclusive – and towards one that cares about and provides justice for the lives of all people.

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by ~~strike through~~ type); there are no changes in the portions of the sections that are not cited or shown in underscoring or strike-through type.

SECTION 3. Chapter 2.29 of the Municipal Code is hereby amended to read as follows:

Section 2.29.010 Purpose.

The rendition of efficient and effective services in the city is best accomplished through the establishment of agencies, each of which shall function under the leadership of a single Director and shall consist of departments or divisions. Said Director and any department or division head shall serve as "department head" within the meaning of Article IX of the City Charter.

Section 2.29.160 Race and Equity Agency.

There is established in the city government a Race and Equity Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Race and Equity Agency shall be the responsibility of the Director of Race and Equity Agency who shall serve as Director of said agency, subject to the direction of the City Administrator. In the Race and Equity Agency there shall be the following divisions: Race and Equity, Civil Rights, Equity and Project Implementation.

2015 MAR 13 AM 5:24

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER DESLEY BROOKS

Title: An Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race and Equity By December 2015, That Will Report Directly To The City Administrator; Establishing definitions and implementation steps related to a citywide strategy of a fair and just city.

WHEREAS, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

WHEREAS, in 1999 the Council passed Ordinance No. 12186, C.M.S. which established in Chapter 2.29 of the municipal code the organizational structure of the City; and

WHEREAS, the FY 2015-16 Policy Budget will provide for organizational restructuring to promote equity and operating efficiency; and

WHEREAS, Oakland is a diverse community. Communities of color and immigrant and refugee communities are growing. Today, approximately 1-in-2 students in Oakland's public schools are students of color.

WHEREAS, Recent decisions in Ferguson and New York involving the criminal justice system have revealed with a renewed and sharper focus the deep divide in our society with persistent systemic inequalities; and

WHEREAS, racial inequities exist across all indicators for success, across the county, including in Oakland. These inequities are deep and pervasive and exist not only within the criminal justice system, but also in education, health, jobs, housing, and many other areas; and

WHEREAS, many in the United States, even those who embrace egalitarian norms, harbor unconscious negative associations based on race; and

WHEREAS, because of the government's role in serving the public, government is uniquely positioned to address the pervasiveness of unconscious biases, first by recognizing and acknowledging bias, and secondly by working to reduce bias, both individually and within government; and

WHEREAS, efforts to address unconscious bias and proactively advance racial equity can repair and strengthen the relationship between law enforcement and communities of color, thereby strengthening the ability for police departments to serve and protect all communities; and

WHEREAS, the City recognizes the need to eliminate disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, socio-economic status, source of income, geographic location of residence, familial status, disability, age, physical and mental illnesses, and other factors; and

WHEREAS, On December 9th the Oakland City Council unanimously passed a resolution recognizing our collective responsibility to advance racial equity; and

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

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SECTION 2.29.160.1. Through adoption of this Ordinance the City of Oakland And the establishment of the Department of Race and Equity the City of Oakland will intentionally integrate, on a citywide basis, the principle of "fair and just" in all the city does in order to achieve equitable opportunities for all people and communities. This ordinance establishes definitions and identifies the specific approaches necessary to implement and achieve the "fair and just" principle that is embedded as a core element of the goals, objectives and strategies of the city.

SECTION 2.29.160.2. The definitions in this section apply throughout this ordinance unless the context clearly requires otherwise.

A. "Community" means a group of people who share some or all of the following: geographic boundaries, sense of membership, culture, language, common norms and interests.

B. "Determinants of equity" means the social, economic, geographic, political and physical environment conditions in which people in our city are born, grow, live, work and age that lead to the creation of a fair and just society. Access to the determinants of equity is necessary to have equity for all people regardless of race, class, gender or language spoken. Inequities are created when barriers exist that prevent individuals and communities from accessing these conditions and reaching their full potential. The determinants of equity are:

1. Community economic development that supports local ownership of assets, including homes and businesses, and assures fair access for all to business development and business retention opportunities;
2. Community and public safety that includes services such as fire, police, emergency medical services and code enforcement that are responsive to all residents so that everyone feels safe to live, work and play in any neighborhood in Oakland;
3. A law and justice system that provides equitable access and fair treatment for all;
4. Early childhood development that supports nurturing relationships, high-quality affordable child care and early learning opportunities that promote optimal early

childhood development and school readiness for all children;

5. Education that is high quality and culturally appropriate and allows each student to reach his or her full learning and career potential;

6. Equity in city practices that eliminates all forms of discrimination in city activities in order to provide fair treatment for all employees, contractors, clients, community partners, residents and others who interact with the City;

7. Food systems that support local food production and provide access to affordable, healthy, and culturally appropriate foods for all people;

8. Health and human services that are high quality, affordable and culturally appropriate and support the optimal well-being of all people;

9. Healthy built and natural environments for all people that include mixes of land use that support: jobs, housing, amenities and services; trees and forest canopy; and clean air, water, soil and sediment;

10. Housing for all people that is safe, affordable, high quality and healthy;

11. Job training and jobs that provide all residents with the knowledge and skills

to compete in a diverse workforce and with the ability to make sufficient income for the purchase of basic necessities to support them and their families;

12. Neighborhoods that support all communities and individuals through strong social networks, trust among neighbors and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood;

13. Parks and natural resources that provide access for all people to safe, clean and quality outdoor spaces, facilities and activities that appeal to the interests of all communities; and

14. Transportation that provides everyone with safe, efficient, affordable, convenient and reliable mobility options including public transit, walking, car pooling and biking.

C. "Equity" means all people have full and equal access to opportunities that enable them to attain their full potential.

D. "Equity and social justice foundational practices" means those practices that can increase the city's influence on access to the determinants of equity when applied to the city's actions in: siting and delivery of services; policy development and

decision making; education and communication within city government; and community engagement and partnerships. Equity and social justice foundational practices are goals for all governmental actions; across citywide strategic goals, objectives and strategies; and across agencies, programs and services. The equity and social justice foundational practices are efforts that enable Oakland government to:

1. Raise and sustain the visibility of the citywide vision of "fair and just" principle and equity and social justice values, policies and foundational practices;
2. Increase focus on the determinants of equity in order to make progress in the elimination of the root cause of inequities;
3. Consider equity and social justice impacts in all decision-making so that decisions increase fairness and opportunity for all people, particularly for people of color, low-income communities and people with limited English proficiency or, when decisions that have a negative impact on fairness and opportunity are unavoidable, steps are implemented that mitigate the negative impacts;
4. Foster an organizational culture that promotes fairness and opportunity;
5. Collaborate across agencies, departments and other organizations;
6. Build capacity to engage all communities in a manner that: promotes and foster trust among people across geographic, race, class and gender lines; results in more effective policies, processes and services; and supports communities' efforts to develop solutions.

F. "Fair and just" means the city serves all residents by promoting fairness and opportunity and eliminating inequities through actions to which equity and social justice foundational practices are applied.

G. "Inequity" means differences in well-being that disadvantage one individual or group in favor of another. These differences are systematic, patterned and unfair and can be changed. Inequities are not random; they are caused by past and current decisions, systems of power and privilege, policies and the implementation of those policies.

H. "Social justice" means all aspects of justice, including legal, political and economic, and requires the fair distribution of public goods, institutional resources and life opportunities for all people.

SECTION 2.29.160.3. To achieve the fair and just principle embedded within the citywide goals, objectives and strategies, the City Administrator shall:

A. Apply equity and social justice foundational practices to city actions and endeavor to integrate these practices into the city's: strategic, operational and business plans; management and reporting systems for accountability and performance; and budgets in order to eliminate inequities and create opportunities for all people and communities;

B. Establish an interbranch team to facilitate accountability of and coordination by all branches, departments, agencies, and offices of city government regarding implementation of the fair and just principle of the city. The Department on Race and Equity shall be responsible for leading the effort. The interbranch team shall be composed of the directors of all branches, departments, agencies and offices of city government. Further the City Administrator shall support the city's application of equity and social justice foundational practices through:

1. Development of analytical tools to support all branches' departments and agencies in identifying the equity impacts of policies and decisions and ways in which to amplify positive impacts and mitigate negative impacts;
2. Development of guidelines which can be implemented across all City branches, departments, and agencies for outreach, communication and community engagement to improve the scope and effectiveness of city efforts to ensure that all communities receive information and have the opportunity to shape city policies and services;
3. Identifying focus areas and supporting the development of policies and actions that improve fairness and opportunity in city government organizational practices, including all employment practices such as hiring, training, retention and promotion and business practices such as contracting, procurement and grant writing;
4. Providing a forum for exchange of information and identification of opportunities for collaboration across branches' departments and agencies on equity and social justice foundational practices; and
5. Supporting the identification of annual work plans by branches' departments and agencies on application of equity and social justice practices, including the items listed in subsection B.1. through 5. of this section; and

C. Design and publish an annual report for Oakland elected leadership, employees and the public on the status and trends in equity in the city and measures of accountability for work plans and results related to implementation of this ordinance.

SECTION 2.29.160.4. It is the intent of the council that this ordinance is a general statement of city policy that cannot form the basis of a private right of action.

SECTION 4. This ordinance will take effect immediately if it is adopted by the Council with six affirmative votes; it will take effect seven days after final passage if it is adopted with five affirmative votes. The organizational structure established by this Ordinance will become effective on the effective date of the Ordinance.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2015

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REED, GIBSON-MCELHANEY

NOES –

ABSENT –

ABSTENTION –

ATTEST _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
Of the City of Oakland